CITY COUNCIL REPORT



MEETING DATE: November 1, 2005



ITEM NO. GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

The Courtyards At Desert Park - 12-AB-2005

REQUEST

Request to consider the following:

- 1. Abandon:
 - City Right-of-Way driveway entrance containing an area of approximately 1,299 square feet.
- 2. Release:
 - Public Utility Easement containing an area of approximately 850 square feet, located along the north and south sides of the driveway.
 - Sight Distance Easement containing an area of approximately 354 square feet, located along the north and south sides of the driveway.
- 3. Dedicate
 - Non-Vehicular Access Easement containing an area of approximately 63 square feet to be located along the location proposed to be abandoned.
 - Sight Distance Easement containing an area of approximately 225 square feet and located at the southern portion of the proposed driveway.
 - Public Utility Easement containing an area of approximately 445 square feet and located across the eastern portion of the proposed driveway.
 - Sidewalk Easement containing an area of approximately 539 square feet and located across the eastern portion of the proposed driveway.

All of the above dedications are complete and have been recorded.

4. To Adopt Resolution No. 6746 vacating and abandoning a public right-ofway

Related Policies, References:

34-DR-2004 Courtyards at Desert Park, DC Ranch

OWNER

Courtvards At Desert Park LLC 480-966-9600

APPLICANT CONTACT

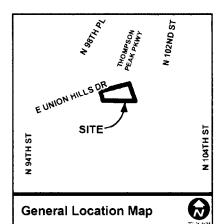
Market Street Homes LLC 480-367-4300

LOCATION

South of the E. Union Hills Drive and Thompson Peak Parkway intersection

BACKGROUND

On October 24, 2003, a map of dedication for the DC Ranch Thompson Peak Parkway infrastructure from Horseshoe Canyon Drive to the southern property boundary line was shifted further south to accommodate the ingress and egress



to the condominium project. All existing easements associated with this driveway location will be released and rededicated with this application. With this map of dedication, several driveways were dedicated for the proposed development of the southern parcels of the DR Ranch Master Plan. Since then the Courtyards at Desert Park Parcel T5A/B has been revised. The driveway entrance to Parcel T5A/B must be abandoned and moved to the south to accommodate the revised plans for the Courtyards.

Zoning.

This property is zoned Multiple-Family Residential (R-5/PCD).

Context.

This property is located at the southwest corner of E. Union Hills Drive and Thompson Peak Parkway. This property is located within the DC Ranch Master Planned Community and is part of DC Ranch's Town Center study area located at the core of the community. The Town Center is planned for single-family homes and mixed-use development consisting of office, retail, and integrated residential uses.

APPLICANT'S PROPOSAL

Goal/Purpose of Request.

This request is to move the existing driveway location on Thompson Peak Parkway approximately 65-feet to the south to accommodate the ingress and egress to the condominium project. All existing easements associated with this driveway location will be released and rededicated with this application.

IMPACT ANALYSIS

Departmental Responses.

City Department/Division participants concur with this abandonment request. See Department Issues Checklist (Attachment #1).

Community Involvement.

The proposed driveway relocation will have no impact on the community.

Staff Recommendation.

Staff recommends approval.

OTHER BOARDS AND

Planning Commission.

COMMISSIONS

The Planning Commission heard this case on September 14, 2005, and recommended approval, 7-0 on the expedited agenda.

RECOMMENDATION

Approval.

RESPONSIBLE DEPT

Planning and Development Services Department

S)

STAFF CONTACT (s)

Greg Williams Randy Grant

Senior Planner Chief Planning Officer

480-312-4205 480-312-7995

E-mail: gwilliams@ScottsdaleAZ.gov E-mail: rgrant@ScottsdaleAZ.gov

Peter Deeley

Planning Coordination Manager

480-312-2554

E-mail: pdeeley@ScottsdaleAZ.gov

Scottsdale City Council Report

12-AB-2005

APPROVED BY

Randy Grant

Chief Planning Officer

10.4.05

Frank Gray

Date

General Manager Planning & Development Services

Ed Gawf

Deputy City Manager

ATTACHMENTS

- 1. Departmental Checklist
- 2. Context Aerial
- 3. Detail Aerial
- 4. Easements and Right-of-Ways
- 5. Area Trails Plan
- 6. City Notification Map
- 7. September 14, 2005 Planning Commission Minutes
- 8. Resolution No. 6746

CASE 12-AB-2005

Department Issues Checklist

Transportation
⊠ Support
The Transportation department is in support of the driveway abandonment and relocation
<u>Trails</u>
Support Support
The City Trails Department has no requirements for this property in accordance with the
City's Trails Master Plan.
A discont Property Overen Natification
Adjacent Property Owner Notification
Support The applicant noticed 5 immediately adjacent property owners. There were no responses
or objections to the abandonment.
or objections to the abandonment.
Public Utilities
Support Support
Letters of consent to the abandonment are on file from the affected utilities.
Emergency/Municipal Services
Support Support
The proposed abandonment does not restrict access to emergency and service vehicles.
Water/Sewer Services
Support Support
The water department is in support of this request.

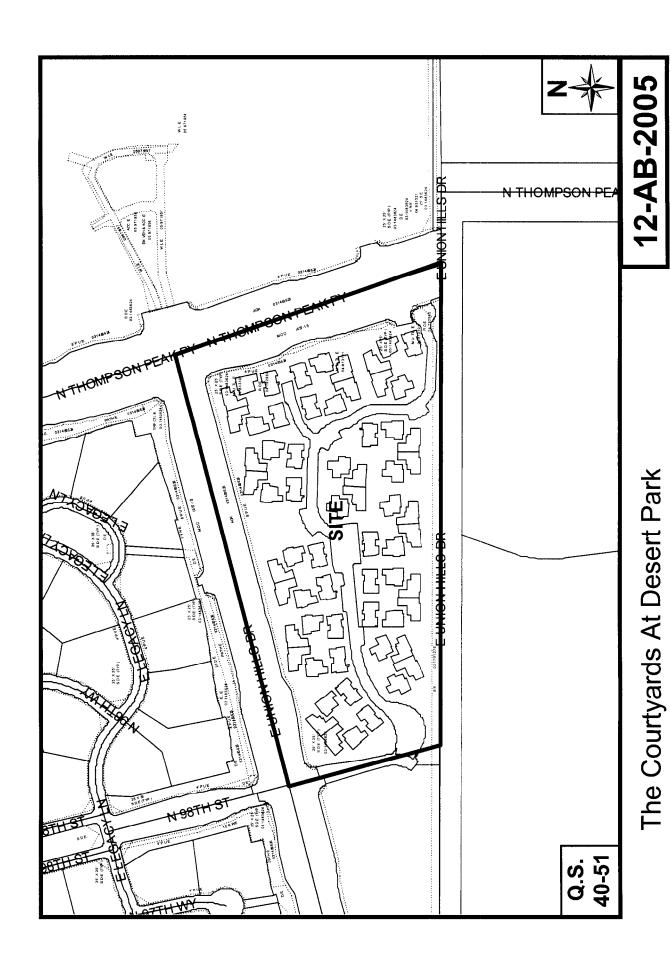
The Courtyards At Desert Park

12-AB-2005

ATTACHMENT #2



The Courtyards At Desert Park



Easements & Right-of-Way ATTACHMENT #4

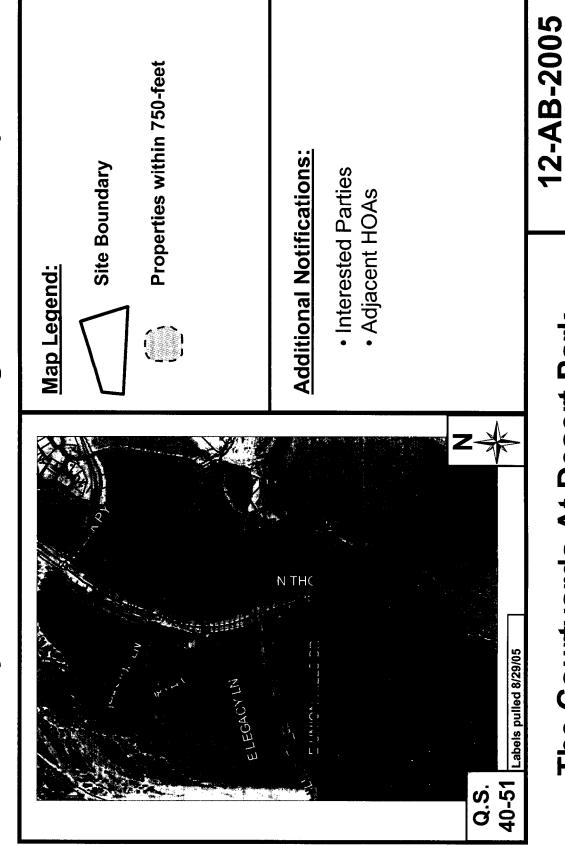
anned Trails | 12-AB-

The Courtyards At Desert Park

12-AB-2005

ATTACHMENT #5

City Notifications – Mailing List Selection Map



ATTACHMENT #6

The Courtyards At Desert Park

3. <u>28-UP-2004 (Next Bar & Nightclub)</u>

COMMISSIONER SCHWARTZ MOVED TO CONTINUE CASE NUMBERS 9-UP-2005 (Drinx) AND 28-UP-2004 (Next Bar & Nightclub) TO THE SEPTEMBER 28, 2005 HEARING. SECONDED BY COMMISSIONER STEINKE.

Upon invitation by Chairman Gulino, no members of the public elected to speak on either of the cases.

THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

EXPEDITED AGENDA

Chairman Gulino announced that he has a conflict on case numbers <u>2-AB-2005</u> (The Reserve & Gold Club Scottsdale) and 11-ZN-2005 (DHL Campus Phase III) and will not be participating in the discussion or vote pertaining to either of those cases.

Chairman Gulino noted the concurrence of the Commission to move the items from the regular agenda to the expedited agenda. Upon invitation by Chairman Gulino, no members of the public elected to speak regarding any of the cases on either the expedited or regular agenda.

Chairman Gulino deferred the proceedings to Vice-Chairman Steinberg and departed the meeting.

- 4. 2-AB-2005 (The Reserve & Gold Club Scottsdale)
- 10. 11-ZN-2005 (DHL Campus Phase III)

COMMISSIONER SCHWARTZ MOVED TO APPROVE CASES 2-AB-2005 (The Reserve & Gold Club Scottsdale) AND 11-ZN-2005 (DHL Campus Phase III). SECONDED BY COMMISSIONER BARNETT. THE MOTION CARRIED WITH A VOTE OF SIX (6) TO ZERO (0), WITH CHAIRMAN GULINO RECUSSING.

Chairman Gulino re-joined the meeting.

COMMISSIONER BARNETT MOVED TO APPROVE:

- 5. 4-AB-2005 (GLO Abandonment 129th Street)
- 6. 8-AB-2005 (Troon Canyon Estates 2)
- 7. 12-AB-2005 (The Courtyards At Desert Park)
- 8. 14-AB-2005 (The Estates at Miramonte)
- 9. 29-ZN-2000#3 (Whisper Rock)

Planning Commission Regular Meeting September 14, 2005 Page 3

REGULAR AGENDA

- 11. <u>1-GP-2005 (Artesia)</u>
- 12. <u>2-ZN-2005 (Artesia)</u>

THE MOTION WAS SECONDED BY COMMISSIONER HESS AND CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Planning Commission adjourned at 5:07 P.M.

Respectfully submitted, A-V Tronics, Inc.

RESOLUTION NO. 6746

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ABANDONING A PORTION OF THE PUBLIC RIGHT-OF-WAY ON THE WEST SIDE OF THOMPSON PEAK PARKWAY SOUTH OF UNION HILLS DRIVE

(12-AB-2005)

WHEREAS:

- A. Various persons have dedicated to City certain interests (collectively, the "Original Dedications") as set out in Exhibit "A" attached hereto.
- B. Various persons have dedicated to City certain other interests (collectively, the "Revised Dedications") as set out in Exhibit "B" attached hereto.
- C. A.R.S. Sec. 28-7201, et seq. provide that a city may dispose of a roadway or portion thereof when said property or portion thereof is no longer necessary for public use.
- D. After notice to the public, hearings have been held before the Planning Commission and Council of the City of Scottsdale ("City") on the proposed abandonment of certain interests (the "Abandonment Right-of-way").
- E. The Abandonment Right-of-way is the Original Dedications, excluding therefrom and reserving unto City any and all interests dedicated by the Original Dedications to the extent such interests may overlap with, be included in, or be the same as the interests dedicated by the Revised Dedications.
- F. The City Council finds that the Abandonment Right-of-way is no longer necessary for public use.
- G. The City Council finds that consideration and other public benefit commensurate with the value of the property, giving due consideration to its degree of fragmentation and marketability, will be provided to the City by the owner of the abutting property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Scottsdale, Arizona, as follows:

1. <u>Abandonment</u>. Subject to the reservations below, the Abandonment Right-of-way is abandoned.

By:

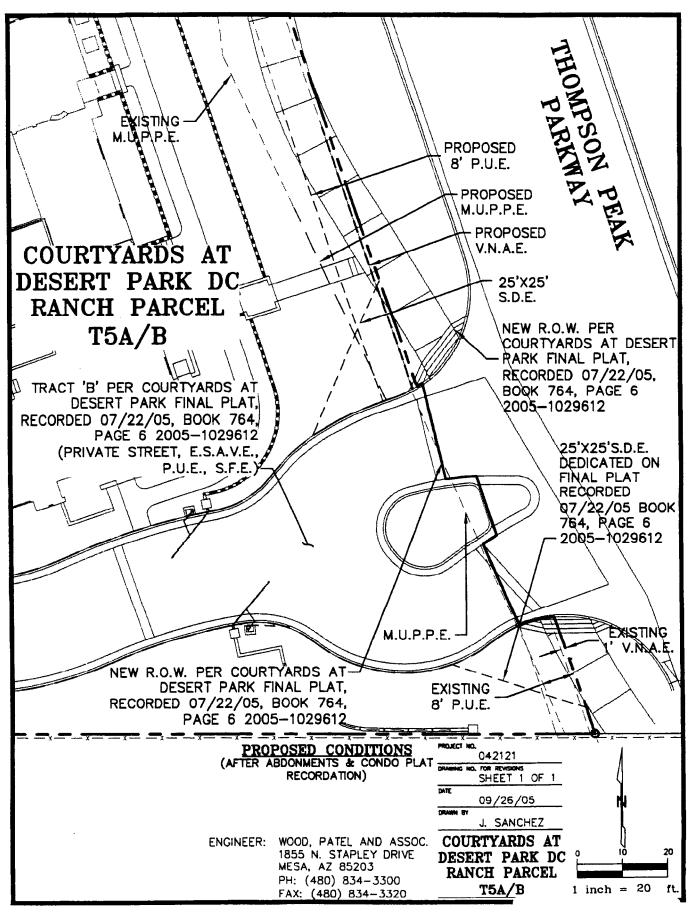
abandonment	
2.1	The interests stated above to be reserved to City.
	Any N.V.A.E. or other non-vehicular access easement or covenant in favor of the already affect the Abandonment Right-of-way prior to this resolution (except as ifically included in the Obsolete Dedications and not included in the Revised
2.3 may already a	Any N.A.O.S. or other open space easement or covenant in favor of the City that ffect the Abandonment Right-of-way prior to this resolution.
2.4	An easement for all existing utilities.

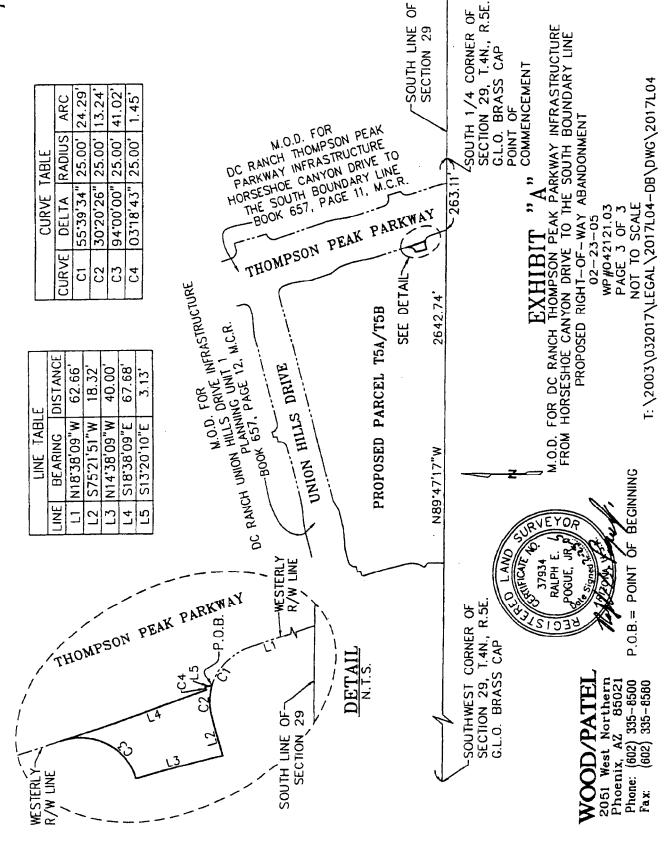
Reservations. All of the following interests are reserved to City and excluded from this

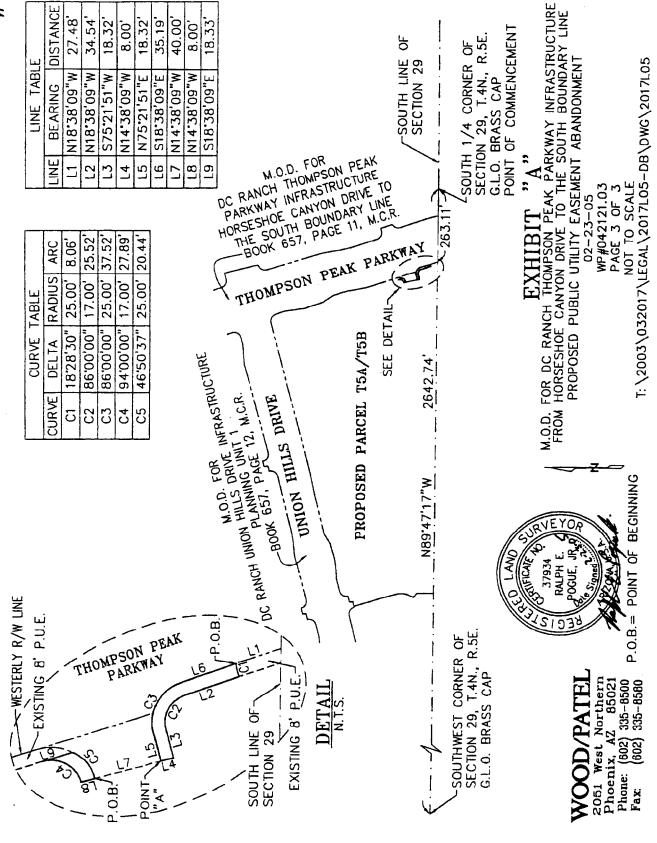
28-721		_	thts and interest. 28-7215.		ts, if	any, as	are	req	uired	to	be reserve	d by	A.R.	S. Sec	; .
		AND , 2005.	ADOPTED	by	the	Council	of	the	City	of	Scottsdale	this		day o	of
						Mary M	anr	oss,	Mayo	or	-				
ATTES	ST:														
Ву:	Carolyn	lagger,	City Clerk												
APPRO	OVED AS	TO FC	ORM:)											

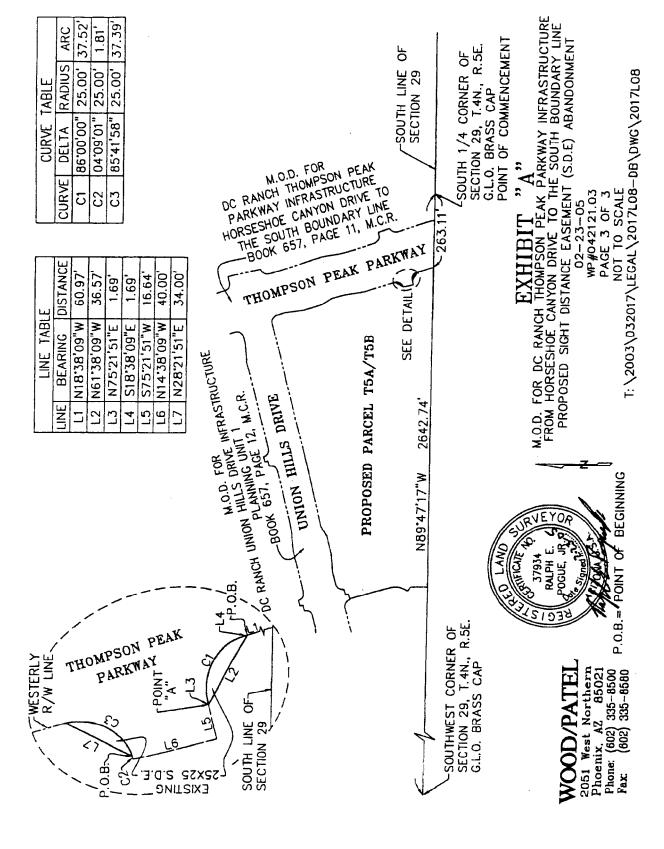
Courtyards at Desert Park SUMMARY OF ORIGINAL DEDICATIONS

*	Name of			Document	Document Recording	
		Type of Interest	Name of Document	Date	Date	Recording #
	1		Map of Dedication (M.O.D.) for			
			DC Ranch Thompson Peak			
			Parkway infrastructure from			
			Horsehoe Canyon Drive to the			BK 657 PG 11
\ \	Scottsdale	Scottsdale Public Right-of-Way Street	Southern Boundary Line	10/22/03	10/24/03	2003-1483624
			Map of Dedication (M.O.D.) for			
			DC Ranch Thompson Peak			
			Parkway infrastructure from			
			Horsehoe Canyon Drive to the			BK 657 PG 11
2 8	Scottsdale	Scottsdale Public Utility Easement (P.U.E.)	Southern Boundary Line	10/22/03	10/24/03	2003-1483624
			Map of Dedication (M.O.D.) for			
			DC Ranch Thompson Peak			
			Parkway infrastructure from			
			Horsehoe Canyon Drive to the			BK 657 PG 11
3	Scottsdale	Scottsdale Sight Distance Easement (S.D.E.)	Southern Boundary Line	10/22/03	10/24/03	2003-1483624





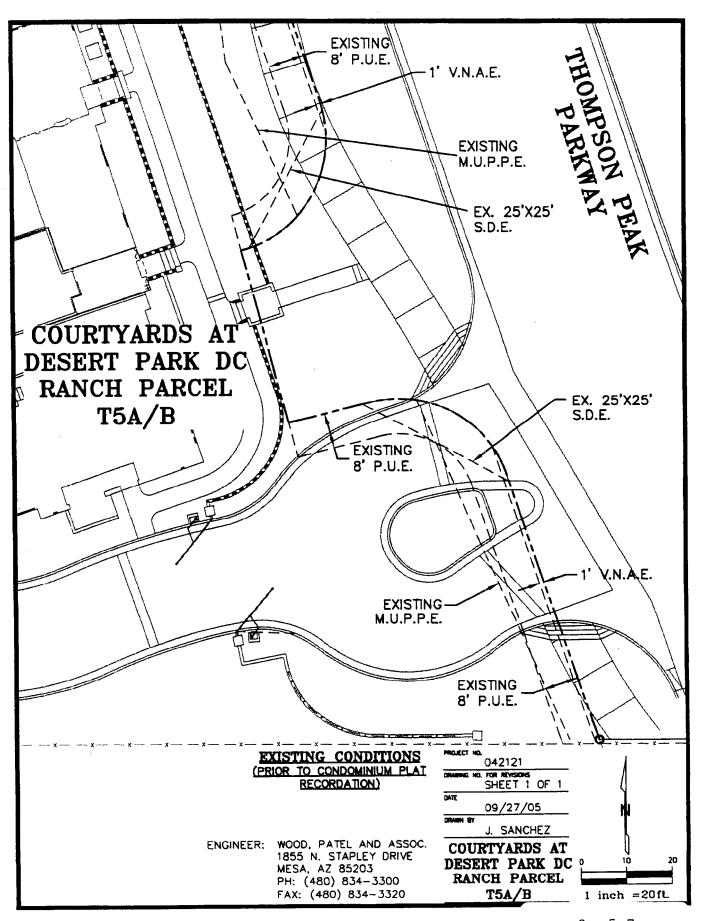




Courtyards at Desert Park SUMMARY OF REVISED DEDICATIONS

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	Name of			Document Recording	Recording	
*	Interest	Interest Type of Interest	Name of Document	Date	Date	Recording #
						BK 764 PG 6
_	Scottsdale	Scottsdale (Right-of-Way Street	Courtyards Condominium Plat	06/24/05	07/22/05	2005-1029612
7	Scottsdale	2 Scottsdale Vehicles Non-Access Easement (V.N.A.E.) Grant Deed	Grant Deed	10/14/05	10/17/05	2005-1543047
ന	Scottsdale	3 Scottsdale Sight District Easement (S.D.E)	Grant Deed	06/27/05	10/12/05	2005-1519996
4	Scottsdale	Scottsdale Sidewalk Easement (S.W.E)	Grant Deed	06/27/05	10/12/05	2005-1519975
5	Scottsdale	Scottsdale (Public Utility Easement (P.U.E.)	Grant Deed	06/27/05	10/12/05	2005-1519984



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EXISTING PIGHT-OF-WAY DEDICATION EXHIBIT -EXISTING ROW LINE PER M.O.D.

D=5539'34

15L74S.D.E. P.C7

-TRACT "G"

R=25.00' L=24.29' T=13.20'

3.56 13.08 CHORD BEARING CHORD 14.83 6.73 3.56 7.98 "E", F" & "G" LINE TABLE N89'27'57"W S84.07,43"W S57.35'19"W S76'04'11"W S66.30'43"W N6871'31"E TRACT CURVE TABLE 13.24 3.56 14.85 ARC 6.74 3.56 8.01 25.00 25.00 RADIUS 65.00 120.00 24.99 73.84 08.09'48" 30.20,26 05.56'13" 01.41'53 18-22'11" 11.31,26 DELTA CURVE 8 C45 C46 පිපි 7 -PROPOSED ROW LINE

► ROW DEDICATED

-S18'38'09"E 35.19'

65

W"00'S1'2S2 '68.3

2.93[‡]. 11.54-

HEREON

200

25'X25'-S.D.E.

1188.65

SOUTH LINE OF THE SW 1/4 OF SECTION 29

		-	,	•			
į	DISTANCE	18.81	14.05	20.12	27.47	12.10	6.22,
LINE IABLE	BEARING	N13'20'10"W	S18'38'09"E	S23.06,50 E	N18.38'09"W	S75.21'51"W	S75-21'51"W
	LINE	710	111	112	113	174	L75

DISTANCE

S18'33'44"E BEARING

11.54 LINE |

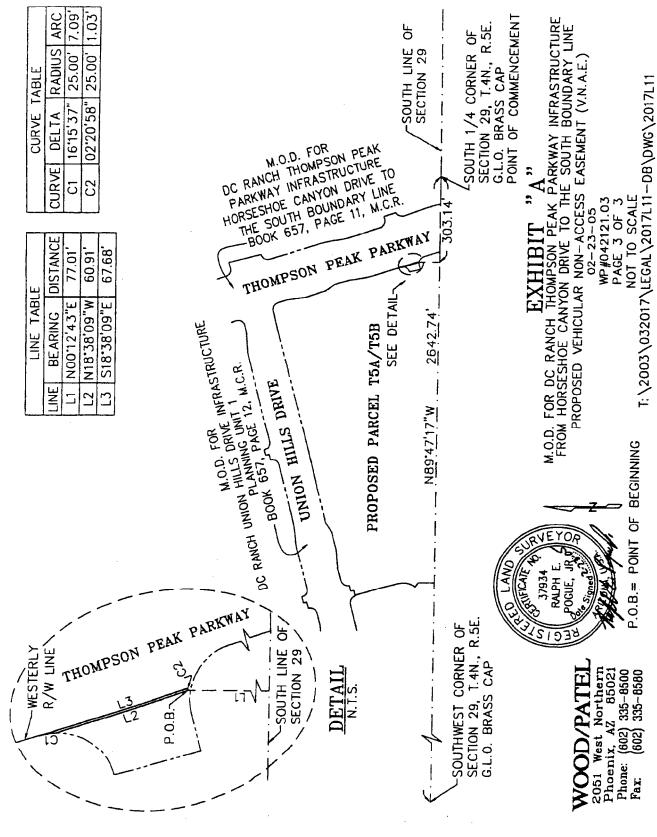
	TRACT	TRACT "E", "F" AND "G" CURVE TABLE	ON C	CURVE	TABLE
CURVE	DELTA	RADIUS	ARC	CHORD [ARC CHORD BEARING CHORD
TC4	TC4 03.05'52"	41.00	2.22		S58*43'17"W 2.22"

BOOK 764 PAGE 6 SCOTTSDALE
THE COURTYARDS AT DEBETT PARK, A CONDOMINUM **NANO**

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page 3 of

2005-1029612



THOMPSON PEAK PARKWAY INFRASTRUCTURE FROM HORSESHOE CANYON DRIVE TO THE M.O.D. - MAP OF DEDICATION FOR DC RANCH BOOK 657, PAGE 11, M.C.R. THOMPSON PEAK PARKWAY SOUTH BOUNDARY LINE 263.11 75' R/W -POINT OF BEGINNING N89'47'17"W 2642.74 PROPOSED -TRACT "G" PROPOSED TRACT "B" PROPOSED TRACT "D" PROPOSED DC RANCH COURTYARDS AT DESERT PARK PROPOSED TRACT "C" ARC 2.89 28.81 8.71 30.60 25.00' 9.17 62.66 BEARING DISTANCE R.5E. SECTION 29, T.4N., R.5E FOUND GLO BRASS CAP DEL TA RADIUS 25.00 25.00 25.00 TABLE LINE TABLE N18'38'09"W S75.21'51"W N23.12'00"E S18'38'09"E SW CORNER OF 06.37,58" 19.58'13" 66.01,47 CURVE CURVE C3 \overline{C} LINE C2

SECTION 29, T.4N., R.5E. FOUND GLO BRASS CAP POINT OF COMMENCEMENT "A" S 1/4 CORNER OF EXHIBIT

DC RANCH COURTYARDS AT DESERT PARK PROPOSED SIGHT DISTANCE EASEMENT PAGË 2 OF 2 NOT TO SCALE 06 - 30 - 05WP#042121

MESTIFICATE 31610

MARRE SCOTT

2121L01-DB\DWG\2121L01.DWG T: \2004\042121\LEGAL

WOOD/PATEL 1855 North Stapley Drive

Mesa, AZ

(480) 834-3300 (480) 834-3320

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